6865145/2023/TAPPAL-REV01

ABSTRACT

Public Servants – Revenue Department - Allegation of corruption against Sri Gurunadham Polaiah, S/o Chinnaiah, VRO, Kulluru Panchayat, O/o the Tahsildar, Kaluvoy Mandal, SPSR Nellore District in Crime No. 04/RCT-ACB-NLR/2019 trapped on 28.08.2019 at VRO's room situated in the O/o Tahsildar, Kaluvoy Mandal, SPSR Nellore District - Sanction of prosecution under the Prevention of Corruption Act 1988 - Accorded - Orders - Issued.

REVENUE (VIGILANCE.V) DEPARTMENT

G.O.Ms.No.15 Date:09.01.2023

ORDER:-

Whereas Sri Gurunadham Polaiah, S/o Chinnaiah, age 47 years, worked as VRO, Kulluru Panchayat, O/o the Tahsildar, Kaluvoy Mandal, SPSR Nellore District from 09.07.2019 to till 28.08.2019. By virtue of post held by him, he falls under the category of Public servant as defined under section 2(c) of the Prevention of Corruption Act, 1988 (As amended by Act 16 of 2018).

2. And whereas Sri Godugunuru Mukundaiah, S/o Rosaiah, Age 32 years, Kulluru Village, Kaluvoy Mandal, SPSR Nellore District is a farmer. The wet land in an extent of Ac.2.98 Cents in Sy.No. 742/1 and dry land an extent of Ac. 3.36 Cents in Sy.No.498, total with an extent of 6.34 Cents is in the name of Sri Godugunuru Mukundaiah's father. Sri Godugunuru Mukundaiah is younger one to his parents out of 3 male children. On 01.06.2019, his father partitioned the said lands each Ac. 1.94 cents and got it registered on their names in the Sub-Registrar Office, Podalakur. His father kept land in an extent of Ac.0.52 cents on his name. His two brothers eking livelihood by doing cultivation. His brothers are illiterates and on that on 31.07.2019 he applied for e.Pattadar passbooks relating to him and his brothers through mee-seva at Kaluvoy. After passing 20 days, he met Sri Gurunadham Polaiah, VRO at Kaluvoy Tahsildar Office and enquired about his work, for which Sri Gurunadham Polaiah, VRO informed that he will talk to the RI and Tahsildar and get his work completed and demanded a bribe of Rs.12,000/-. Then Sri Godugunuru Mukundaiah expressed

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his inability to pay such bribe amount as he is a farmer. After passing 2 days again, Sri G. Mukundaiah met the VRO, Sri G. Polaiah at the O/o Tahsildar, Kaluvoy, but VRO, Sri G. Polaiah demanded more i.e., Rs.15,000/- as bribe for attending his work. VRO, Sri G. Polaiah also informed that he has to share the bribe amount to his superiors i.e., RI and Tahsildar, otherwise his work will not be completed. Sri G. Mukundaiah showed his inability to pay such bribe, but the VRO, Sri G.Polaiah said that without bribe this work will not be completed. Then Sri G. Mukundaiah returned from that place by saying that he will meet later. On 27.08.2019 morning, Sri G. Mukundaiah met the VRO, Sri G.Polaiah and asked about his pending work, for which, the VRO, Sri G.Polaiah again reiterated that if only he gets the bribe amount of Rs.15,000/-, his work will be done. On his request, the VRO, Sri G.Polaiah reduced the bribe amount and demanded to pay at least Rs.10,000/-. Then VRO, Sri G. Polaiah informed to bring bribe amount of Rs.10,000/- for the next day and give as per his directions. As there is no other go, Sri G.Mukundaiah agreed to pay the bribe amount of Rs.10,000/- on the next day and returned. The whole conversation between Sri G.Polaiah and Sri G.Mukundaiah was recorded by Sri G.Mukundaiah.

3. And whereas Sri G. Mukundaiah was not willing to pay the bribe amount to Sri Gurunadham Polaiah for entering land details in webland adangal and issuance of e-Pattadar Passbooks, came to the O/o DSP, ACB, Nellore on the same day i.e., on 27.08.2019 and lodged a written complaint against Sri Gurunadham Polaiah. Sri G. Mukundaiah also submitted voice recorded DVD and three Mee-Seva copies 1) TARMU 011902556089, 2) TARMU 011902555933, and 3) TARMU 011902555836 for taking necessary action. After following due procedure the DSP, ACB, Nellore registered the report of Sri G. Mukundaiah as a case in Cr.No. 4/RCT-ACB-NLR/2019 U/s. 7(a) of Prevention of Corruption (Amendment) Act, 2018 of ACB, Nellore Range, Nellore on 28.08.2019 took up investigation and made arrangements for laying trap against Sri Gurunadham Polaiah, VRO, Kulluru Panchayat, Kaluvoy Mandal, SPSR Nellore District.

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4. And whereas, Sri Gurunadham Polaiah was trapped on 28.08.2019 at VRO's room situated in the office premises of Tahsildar, Kaluvoy Mandal when Sri Gurunadham Polaiah, demanded and accepted bribe amount of Rs.10,000/- for doing an official favor from Sri G. Mukundaiah that Sri G. Polaiah, VRO will complete his pending Mee-Seva file regarding mutation, enter their land particulars in an extent of Ac. 1.94 cents each in online Adangals belonging to Sri G.Mukundaiah and his two brothers and promised to issue e-Pattadar Passbook from the Tahsildar, Kaluvoy Mandal. Sri Gurunadham Polaiah received the bribe amount from Sri G. Mukundaiah with his left hand and put them in his left side pant pocket. In the meantime ACB officials caught Sri Gurunadham Polaiah and conducted chemical test on the both hands, and inner linings of the left side pant pocket of Sri Gurunadham Polaiah in which the left hand finger and inner linings of left side pant pocket yielded positive results. The Mediators counted and compared the serial numbers and denominations of currency notes which are already noted in the pre trap proceedings and found them tallied. The DSP, ACB, Nellore seized the said currency amount of Rs.10,000/- along with sealed bottles containing chemical washes. On the request of the DSP, ACB, Nellore, Smt. M. Prameela, Tahsildar of Kaluvoy Mandal produced original official favour file and after verification obtained attested copies and returned the original file to the Tahsildar. Rough sketch of the scene of offence was prepared.

5. And whereas the above said acts of Sri Gurunadham Polaiah, S/o Chinnaiah, Age 47 years, VRO, Kulluru Panchayat, O/o the Tahsildar, Kaluvoy Mandal, SPSR Nellore District constitutes an offence punishable u/s 7 (a) of Prevention of Corruption Act, 1988 (As amended by Act 16 of 2018).

6. And whereas, the Government of Andhra Pradesh being the competent authority to remove Sri Gurunadham Polaiah, VRO, Kulluru Panchayat O/o the Tahsildar, Kaluvoy mandal from the service after fully and carefully examining the materials viz. copy of FIR, Mediator Reports I & II and Final Investigation Report of the Director General, Anti - Corruption Bureau, AP, Vijayawada etc. placed before the

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Government in respect of the aforesaid allegation and having regard to the facts and circumstances of the case consider that Sri Gurunadham Polaiah should be prosecuted in a Court of Law.

7. Now, therefore in the exercise of the powers conferred by clause (b) of sub- section(1) of Section 19 of Prevention of Corruption (Amendment) Act, 2018, the Government of Andhra Pradesh, Amaravathi hereby accord sanction for the prosecution of the said Sri Gurunadham Polaiah, VRO, Kulluru Panchayat O/o the Tahsildar, Kaluvoy mandal for the offence punishable u/s 7(a) of Prevention of Corruption (Amendment) Act, 2018 and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Gsaiprasad

(G SAI PRASAD)

SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To

The Director General,

Anti-Corruption Bureau,

Andhra Pradesh,

Vijayawada.